

Rec'd PCT/PTO 14 JUN 2006  
10/552661

**ROTHWELL, FIGG, ERNST & MANBECK**

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**FACSIMILE TRANSMITTAL SHEET**

DATE: June 14, 2006

TO: Mr. Winston M. Alvarado  
Fax No. 571-270-9878  
Tel. No. 703-308-9140, ext. 206

FROM: George R. Repper

OUR REF: 3224-0157  
YOUR REF.: Serial No. 10/552,661

THIS MESSAGE IS INTENDED FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR THE EMPLOYEE OR AGENCY RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICES. THANK YOU.

Number of Pages Including This Transmittal Sheet: 6

If any problems in connection with this facsimile, please contact: D. Hoefler at 202-783-6040

**MESSAGE, IF ANY:**

Dear Mr. Alvarado,

Pursuant to a telephone discussion between you and a member of my staff today, I am faxing you a copy of the petition to revive that was submitted along with US national phase commencement papers on October 11, 2005. I am also faxing a copy of our PTO date-stamped receipt cards evidencing submission of the petition to revive. The PTO receipt card indicates the petition to revive comprises 4 pages which would reflect the original petition along with a deposit account copy. Also enclosed is a copy of a page from PTO finance records showing a charge for the small entity petition to revive fee along with the filing, search and examination fees.

I understand you will process the petition and forward it for action. If you require anything further of us, please let me know. We look forward to withdrawal of the notice of abandonment mailed June 12, 2006 and reinstatement of the application.

  
\_\_\_\_\_  
George R. Repper, Reg. No. 31,414  
Attorney for Applicant

**PETITION FOR REVIVAL OF AN INTERNATIONAL APPLICATION FOR PATENT  
DESIGNATING THE U.S. ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket No.: 3224-157

U.S. Application No. (if known):

First Named inventor: Werner GRABHER

International (PCT) Application Number: PCT/EP04/002596

Filed: March 12, 2004

Title: CAN COMPRISING A FOIL SEAL

Attention: PCT Legal Staff  
Box PCT  
Assistant Commissioner of Patents  
Washington, D.C. 20231

The above-identified application became abandoned as to the United States because the fees and documents required by 35 U.S.C. 371(c) were not filed prior to the expiration of the time set in 37 CFR 1.494(b) or (c) or 1.495(b) or (c) (as applicable). The date of abandonment is the day after the date on which the 35 U.S.C. 371(c) requirements were due. See 37 CFR 1.494(g) or 1.495(h).

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

**1. Petition fee**

☒ small entity - fee \$750.00. Applicant claims small entity status.

☐ other than small entity - fee \$1,500.00.

**2. Proper Reply**

A. The proper reply (the missing 35 U.S.C. 371(c) requirements) in the form of a §1390

☐ was previously filed on \_\_\_\_\_

☒ is enclosed herewith.

**3. Terminal disclaimer with disclaimer fee**

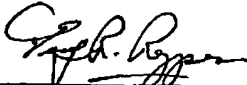
☐ Since this international application has filed an international filing date on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee of \$65.00 for a small entity or \$130.00 for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. Statement. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.
5. Please charge the \$750.00 fee to deposit account no. 02-2135. Also, if any additional payment is required or any credits need to be made, please charge the cost thereof to deposit account no. 02-2135. An extra copy of this letter is attached.

**WARNING: Information on this form may become public.  
Credit card information should not be included on this form.  
Provide credit card information and authorization on PTO-2038.**

Respectfully submitted,

By   
George R. Repper  
Attorney for Applicants  
Registration No. 31,414  
ROTHWELL, FIGG, ERNST & MANBECK, p.c.  
Suite 800, 1425 K Street, N.W.  
Washington, D.C. 20005  
Telephone: (202)783-6040

3224-157-pet.upd

ROTHWELL, FIGG, ERNST & MANBECK, 1425 K St NW, Ste 200, Wash, DC 20005 (202-783-6031)

New 371 Application Receipt Card

TO BE DATE-STAMPED BY THE U.S. PATENT AND TRADEMARK OFFICE AS ACKNOWLEDGMENT OF RECEIPT BY IT OF

THE FOLLOWING:

Description	No.	Description	No.
X Form PTO-1390	1	Assignment & Recordation Cover Sheet	
X Copy of International Application as Filed	9	Information Disclosure Statement (IDS)	
X Verified English Translation of Int'l Appln as Filed	12/10	PTO 1449	
Copy of Article 19 Amendments		Copies of references cited in IDS	
English Translation of Article 19 Amendments		Preliminary Amendment	7
X Copy of Annexes to IPER	2	X Substitute Specification (marked-up/clean total)	12
English Transl of Annexes to IPER		2d Copy of Published APN u. 35 USC 154(d)(4)	
Inventor(s) Declaration		2d Copy of Verified English Translation	12/10
Sequence List (Paper Pages)		X Copy of International Search Rpt (ISR)	2
Sequence List (CRF)		X PCT/IB/304	1
X Petition for Revival of Unintentionally Aband Appn	24	X International Prelim Exam Rpt (IPER)	6
X Application Data Sheet	1	X PCT Request	3

X APPLICATION FILING/CLMS FEES PAID: \$1,200.00	CHECK	X DEP ACCT 02-2135
ASSIGNMENT RECORDATION FEE PAID:	CHECK	DEP ACCT 02-2135

IN REGARD TO

ATTORNEY DOCKET NO.: 3224-157	ATTORNEY/ASSISTANT: GRR:krb
FIRST-NAMED INVENTOR: Werner GRABHER	
TITLE: CAN COMPRISING A FOIL SEAL	
INTERNATIONAL APPLICATION NO.: PCT/EP04/002396 ✓	

Date-Stamp Here

10/552661

FOR SERIAL NUMBER (PCT/EP04/002396)

JC04 Rec'd PCT/PTO 11 OCT 2005

RECEIVED/FACILITIES  
ROTHWELL FIGG ERNST & MANBECK  
FILE NO. 3224-157  
FAC PROC. INIT.

6

OCT 26 2005

DATE RECEIVED: \_\_\_\_\_  
BY: Grr  
OK TO FILE: \_\_\_\_\_

Patent, Figg, Ernst & Manbeck, 1425 K St NW, Ste 800, Wash, DC 20005(202-783-6031)

TO BE DATE-STAMPED BY THE U.S. PATENT AND TRADEMARK OFFICE AS ACKNOWLEDGMENT OF RECEIPT BY IT OF THE FOLLOWING:

New 371 Application Receipt Card

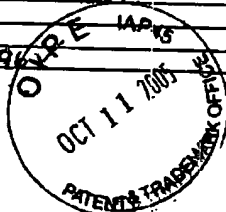
Description	No.	Description	No.
X Form PTO-1390 <i>+ Dep Art Copy</i> ✓	14	Assignment & Recordation Cover Sheet	
X Copy of International Application as Filed ✓	9	Information Disclosure Statement (IDS)	
X Verified English Translation of Int'l Appln as Filed ✓	12/10	PTO 1449	
Copy of Article 19 Amendments		Copies of references cited in IDS	
English Translation of Article 19 Amendments		Preliminary Amendment	7
Copy of Annexes to IPER		Substitute Specification (marked-up/clean total)	12
X English Transl of Annexes to IPER ✓	2	2d Copy of Published APN u. 35 USC 154(d)(4)	
Inventor(s) Declaration		2d Copy of Verified English Translation	12/10
Sequence List (Paper Pages)		Copy of International Search Rpt (ISR)	2
Sequence List (CRF)		PCT/IB304	1
X Petition for Revival of Unintentionally Aband Appn ✓	4	International Prelim Exam Rpt (IPER)	6
X Application Data Sheet ✓	1	PCT Request	3

X APPLICATION FILING/CLMS FEES PAID: \$1700.00 ✓	CHECK	X DEP ACCT 02-2135 ✓
ASSIGNMENT RECORDATION FEE PAID:	CHECK	DEP ACCT 02-2135

IN REGARD TO

ATTORNEY DOCKET NO.: 3224-157 ✓	ATTORNEY/ASSISTANT: GRR:krb
FIRST-NAMED INVENTOR: Werner GRABHER ✓	
TITLE: CAN COMPRISING A FOIL SEAL ✓	
INTERNATIONAL APPLICATION NO.: PCT/EP04/00259 ✓	

10-11-65



Date-Stamp Here

19 of 20

10/19 548	10552181	2923-734	1631	\$300.00	\$26,489.62
10/19 549	10552161	2923-734	1642	\$400.00	\$26,089.62
10/19 550	10552161	2923-734	1633	\$200.00	\$25,889.62
10/20 2	PCT/US04/23098	2885-131.PCT	1705	\$11.00	\$25,878.62
10/20 17	E-REPLENISHMENT		9203	-\$5,000.00	\$30,878.62
10/20 105	11079476	1954-463	8021	\$40.00	\$30,838.62
10/20 117	11079476	1954-463	8021	\$40.00	\$30,798.62
10/20 126	6378515	1110-261	1551	\$900.00	\$29,898.62
10/20 127	5744452	2697-103	2552	\$1,150.00	\$28,748.62
10/20 174	10832248	2923-629	1806	\$180.00	\$28,568.62
10/20 175	10832248	2923-629	1814	\$130.00	\$28,438.62
10/20 176	10832248	2923-629	1201	\$1,200.00	\$27,238.62
10/20 177	10832248	2923-629	1202	\$2,600.00	\$24,638.62
10/20 185	11134624		8021	\$40.00	\$24,598.62
10/20 236	09973088	2411-110	1252	\$450.00	\$24,148.62
10/20 237	10433050	2923-0537	1201	\$400.00	\$23,748.62
10/20 238	10433050	2923-0537	1202	\$1,400.00	\$22,348.62
10/20 239	10433050	2923-0537	1806	\$180.00	\$22,168.62
10/20 240	10433050	2923-0537	1464	\$130.00	\$22,038.62
10/20 292	<u>10552661</u>	<u>3224-157</u>	2631	<u>\$150.00</u>	\$21,888.62
10/20 293	<u>10552661</u>	<u>3224-157</u>	2633	<u>\$100.00</u>	\$21,788.62
10/20 294	<u>10552661</u>	<u>3224-157</u>	2642	<u>\$200.00</u>	\$21,588.62
10/20 295	<u>10552661</u>	<u>3224-157</u>	2453	<u>\$750.00</u>	\$20,838.62
10/20 344	10552702	1768-138	2631	\$150.00	\$20,688.62
10/20 345	10552702	1768-138	2642	\$200.00	\$20,488.62
10/20 346	10552702	1768-138	2633	\$100.00	\$20,388.62
10/20 347	10552702	1768-138	2615	\$125.00	\$20,263.62
10/20 489	11140256	2965-197	8021	\$40.00	\$20,223.62
10/20 556	11148429		8021	\$40.00	\$20,183.62
10/20 579	10463324	2576-121	1501	\$1,400.00	\$18,783.62
10/20 580	10463324	2576-121	1504	\$300.00	\$18,483.62
10/20 581	10463324	2576-121	8001	\$15.00	\$18,468.62
10/20 613	29232301		8021	\$40.00	\$18,428.62
10/21 31	10069613	1181-258	1253	\$1,020.00	\$17,408.62
10/21 32	10069613	1181-258	1401	\$500.00	\$16,908.62
10/21 66	11252578	2885-127	1011	\$300.00	\$16,608.62
10/21 67	11252578	2885-127	1111	\$500.00	\$16,108.62
10/21 68	11252578	2885-127	1311	\$200.00	\$15,908.62
10/21 114	0154680044	2232-171	8013	\$25.00	\$15,883.62
10/21 115	0154680044	2232-171	8014	\$25.00	\$15,858.62
10/21 136	10832257	2923-630	1202	\$1,450.00	\$14,408.62
10/21 137	10832257	2923-630	1201	\$1,800.00	\$12,608.62
10/21 138	10832257	2923-630	1806	\$180.00	\$12,428.62

<https://ramps.uspto.gov/eram/Controller.jsessionid=ramps-10300-8fb:43677963:f92b58fce...> 11/1/2005

Best Available Copy